

805 KAR 4:093. Permit to purchase or possess explosives.

RELATES TO: KRS 351.367, 351.370

STATUTORY AUTHORITY: KRS 351.335(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 351.335(1) authorizes the Department for Natural Resources to promulgate rules and administrative regulations concerning the manufacture, transportation, sale, storage, or use of explosives and unassembled components of explosives, and the maintenance of such explosives which have a direct bearing on safety to life and property. This administrative regulation establishes guidelines for the necessity of and procedure for obtaining a permit for the purchase or possession of explosives.

Section 1. (1) Each person, firm, association, or corporation intending to purchase or take possession of explosives shall complete the application form (EC-52), and pay the application fee established by KRS 351.367(2).

(2) Each holder of a permit to purchase or possess explosives shall provide a copy of his permit to the explosive dealer or distributor prior to the transfer of the explosive materials.

(3) A permit to purchase or possess explosives shall be obtained prior to purchasing or taking possession of any explosive materials, including all high explosives, blasting agents, and detonators, and two (2) component, binary explosive compounds.

(4) The following materials are exempt from the requirement to obtain a permit:

- (a) Oil well perforating charges of less than ninety (90) grams each;
- (b) All grades of blackpowder suitable for firearms;
- (c) All fireworks; and
- (d) Any propellant powder for firearms or rockets.

(5) Any person who signs the application for a permit, either as an individual or as a representative of a corporation, firm, or association, shall be accountable for the explosives purchased under the terms of the permit.

(6) A permit holder may purchase explosives for use on several different business locations or construction sites, if the person designated on the permit application is the central agent ordering the explosives, and is responsible for the security and disposition of the explosives at all sites.

(7) If a single corporation or company has multiple business sites, each of which purchases explosives independently, each site shall obtain its own permit.

Section 2. Incorporation by Reference. (1) Form "(EC-52)", (revised August 1996), is incorporated by reference.

(2) It may be inspected, copied, or obtained from the Department for Natural Resources, 300 Sower Boulevard, Frankfort, KY 40601 during normal business hours, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 1820; Am. 2492; eff. 12-11-96; TAm eff. 8-9-2007; TAm eff. 7-6-2016.)